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RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

6 Attorneys for Plaintiffs-Appellants

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8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**

10

11 **EDITH MACIAS, individually and on  
behalf of similarly situated  
individuals; HOTON DURAN;  
TIFFANY HUYNH; AURA MENDIETA;  
WILLIAM LABOY; MIGUEL ACOSTA;  
CRUZ ACOSTA; CUAUHTEMOC  
TORAL; TERESA VILLEGAS,  
KAPIKA SALAMBUE; and MARINA  
DURAN,**

Case No. C07-3437 JSW

9th Cir. Case No. \_\_\_\_\_

[Notice of Appeal filed 2/1/08]

**AMENDED REPRESENTATION  
STATEMENT**

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**Plaintiffs-Appellants,**

17

**vs.**

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**THOMAS J. TOMANEK; and  
MARK GARIBALDI, individually  
and doing business as THE  
GARIBALDI COMPANY,**

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**Defendants- Appellees.**

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Pursuant to Rule 12(b) and the Federal Rules of Appellate Procedure and Ninth Circuit Rule 3-2(b), appellants submit this amended representation statement adding additional counsel for defendant-appellee Mark Garibaldi:

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I. Plaintiffs-Appellants Edith Macias, on behalf of herself and a class of similarly situated persons, and Hoton Duran, Tiffany Huynh, Aura Mendieta, William Laboy, Miguel Acosta, Cruz Acosta, Cuauhtemoc Toral, Teresa Villegas, Kapika Salambue, and Marina Duran are represented by:

BRANCART & BRANCART  
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II. Defendant-Appellee Thomas J. Tomanek is represented by:

ALLMAN & NIELSEN  
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III. Defendant-Appellee Mark Garibaldi, individually and dba The Garibaldi Company, is represented by:

FARBSTEIN & BLACKMAN  
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WENDEL ROSEN BLACK & DEAN, LLP  
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Dated: February 6, 2008.

Respectfully submitted,

BRANCART & BRANCART

/s/   
Elizabeth Brancart  
Attorneys for Plaintiffs

**PROOF OF SERVICE**

I am over the age of 18 and am not a party to the within action. My business address is 8205 Pescadero Road, Loma Mar, California 94021.

On February 6, 2008, I served a true and correct copy of the following document(s):

## AMENDED REPRESENTATION STATEMENT

upon the following person(s):

Ms. Sara Allman, Allman & Nielsen, 100 Larkspur Landing Circle, Suite 212  
Larkspur, CA 94939;

Mr. John S. Blackman, Farbstein & Blackman, 411 Borel Ave., Suite 425, San Mateo, CA 94402; and

Mr. Carl D. Ciochon, Wendel Rosen Black & Dean, LLP, P. O. Box 2047  
Oakland, CA 94604-2047

	<b>BY HAND DELIVERY:</b> By causing such document(s) to be delivered by hand to the above person(s) at the address(es) set forth above.
XX	<b>BY MAIL:</b> By placing a copy thereof enclosed in a sealed envelope, with postage thereon fully prepaid, in the United States mail at Loma Mar, California, addressed as set forth above.
	<b>BY THIRD-PARTY COMMERCIAL CARRIER (OVERNIGHT DELIVERY):</b> By delivering a copy thereof to a third-party commercial carrier, addressed as set forth above, for delivery on the next business day.
	<b>BY FACSIMILE:</b> By transmitting the above document(s) to the facsimile number(s) of the addressee(s) designated above.
	<b>BY ELECTRONIC TRANSMISSION OF THE "NOTICE OF ELECTRONIC FILING:"</b> By electronically filing the document(s) (All counsel are "Filing Users")

I certify that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on February 6, 2008, at Loma Mar, California.

Elizabeth Brancart  
/s/ 